

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

**LARRY FREDERICK and
SHARON FREDERICK,**

Joint Debtors,

**LARRY FREDERICK and
SHARON FREDERICK,**

Movants,

vs.

**M&T BANK, THE UNITED STATES OF
AMERICA FARM SERVICE AGENCY,
CARGILL, INC., SUSQUEHANNA
COMMERCIAL FINANCE, INC.,
GROWMARK FS, LLC, FS FINANCIAL
SERVICES, LLC, WELLS FARGO
VENDOR FINANCIAL SERVICES, LLC,
BLAIR COUNTY TAX CLAIM BUREAU,
PENNSYLVANIA DEPARTMENT OF
REVENUE, AND THE INTERNAL
REVENUE SERVICE,**

Respondents.

Bankruptcy No. 18-70870-JAD

Chapter 11

Document No.

Related to Doc. Nos.: 184, 186, & 200

**ZOOM SALE HEARING Date and Time:
March 16, 2021 at 10:00 a.m.**

**NOTICE OF SALE REGARDING MOTION FOR SALE OF PROPERTY AND
PERSONAL PROPERTY FREE AND CLEAR OF ALL LIENS, CLAIMS AND
ENCUMBRANCES**

To: Respondents and all Creditors and Parties in Interest of the above named Joint Debtors:

NOTICE IS HEREBY GIVEN THAT Larry Frederick and Sharon Frederick, Joint Debtors, have filed a Motion for Sale of Real Property and Personal Property Free and Clear of All Liens, Claims and Encumbrances (ECF #184) (the "Sale Motion") through which they seek authority to sell the following parcels of real property and personal property:

a.) 1098 Frederick Road, Martinsburg, PA 16662; Blair County Map Number: 20.00-09..-009.00-000; Acreage: 161.320;

b.) 1219 Frederick Road, Martinsburg, PA 16662; Blair County Map Number: 20.00-09..-008.00-000; Acreage: 66.74 (together with 1098 Frederick Road, the "Frederick Road Properties");

c.) 62 Acre Parcel off of Kensinger Road; Map Number 20.00-12..-001.00-000 ("Cove Lane"); and

d.) Various pieces of farming equipment and livestock. A list of equipment and is attached to the Sale Motion as Exhibit A. A list of livestock is attached to the Sale Motion as Exhibit B.

A Zoom Video Conference Hearing is scheduled for **March 16, 2021 at 10:00 a.m.** before Judge Jeffery A. Deller via the Zoom Video Conference Application ("Zoom"). To participate in and join a Zoom Hearing, please initiate and use the following link at least ten (10) minutes prior to the scheduled Zoom Hearing time: <https://www.zoomgov.com/j/16009283473>, or alternatively, you may use the following Meeting ID: 160 0928 3473. All participants are required to appear by Zoom and must comply with the *Notice of Temporary Modification of Procedures Before the Honorable Jeffery A. Deller For Matters Scheduled On or After January 1, 2021*, which can be found on the Court's website at <http://www.pawb.uscourts.gov/content/judge-jeffery-deller>. Persons without video conferencing capabilities must immediately contact Chambers staff at (412) 644-4710 to make alternative arrangements. Absent emergency circumstances, such arrangements must be made no later than three (3) business days prior to the hearing.

On February 5, 2021, this Honorable Court entered an Order Approving Bid Procedures and Expense Reimbursement (ECF #200) (the "Bid Procedures Order"). Pursuant to the Bid Procedures Order, **Competing Bids will be solicited for the Frederick Road Properties and Personal Property (together as one lot) and for Cove Lane (individually and in bulk with the Frederick Road Properties and Personal Property) and the Bankruptcy Court shall determine the highest or best bid for the Sale Assets at the Sale Hearing.**

In order to be eligible to bid at the Sale Hearing, each potential bidder must submit the following items to Ryan J. Cooney, Robert O Lampl Law Office, 223 Fourth Ave, 4th Floor, Pittsburgh, PA 15222 (email: rcooney@lampllaw.com) at least three (3) business days prior to the Sale Hearing:

a.) A fully executed Asset Purchase Agreement (APA), the form of which is attached to the Expedited Motion to Approve Bidding Procedures as Exhibit A (ECF# 187). In the event that the bidder submits an APA with any terms that are not the same as the form APA, those terms must be noted in redline in the executed version of the APA submitted by the Debtor;

b.) An earnest money deposit of \$5,000 in cash, a cashier's check, certified check or wire transfer payable to Robert O Lampl as Escrow Agent for Larry and Sharon Frederick;

c.) Proof, in a form satisfactory to the Joint Debtors, of the bidder's financial ability to consummate its offer; and

d.) A bid in the minimum amount of:

- i. **For the Frederick Road Properties plus the Personal Property:** \$2,150,000.00 plus the assumption of the Debtors' obligations to Growmark to the extent of Growmark's allowed secured claim under 11 USC §§ 506 and 510, if any, on the Personal Property.
- ii. **For Cove Lane:** \$860,000.00.
- iii. **For all Sale Assets:** \$3,010,000.00 plus the assumption of the Debtors' obligations to Growmark to the extent of Growmark's allowed secured claim under 11 USC §§ 506 and 510, if any, on the Personal Property.

Contact Debtors' Counsel for further information.

Date of Notice: February 18, 2021

/s/ Robert O Lampl
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